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BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of)	FPPC No. 10/114
)	
)	
JERRY "PAT" MAGUIRE,)	STIPULATION, DECISION and
)	ORDER
Respondent.)	
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)	

Complainant Roman G. Porter, Executive Director of the Fair Political Practices Commission, and Respondent Jerry "Pat" Maguire agree that this stipulation will be submitted for consideration by the Fair Political Practices Commission at the January 2011 or next regularly scheduled meeting thereafter. The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondent, pursuant to Section 83116 of the Government Code.

Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Sections 18361.1 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondent's own expense, to confront and cross-examine all witnesses testifying at the

1 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
2 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

3 It is further stipulated and agreed that Respondent Jerry "Pat" Maguire violated the Political
4 Reform Act when, he made, participated in making, or attempted to use his official position to influence
5 two governmental decisions in which he knew, or had reason to know, that he had a financial interest, in
6 violation of Government Code Section 87100 (2 counts). The counts are described in Exhibit 1, which
7 is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and
8 accurate summary of the facts in this matter.

9 Respondent agrees to the issuance of the Decision and Order, which is attached hereto.
10 Respondent also agrees to the Commission imposing upon him an administrative penalty in the amount
11 of Seven Thousand Dollars (\$7,000). A cashier's check from Respondent Jerry "Pat" Maguire in said
12 amount, made payable to the "General Fund of the State of California," is submitted with this
13 Stipulation as full payment of the administrative penalty, to be held by the State of California until the
14 Commission issues its decision and order regarding this matter. The parties agree that in the event the
15 Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15)
16 business days after the Commission meeting at which the Stipulation is rejected, all payments tendered
17 by Respondent in connection with this Stipulation shall be reimbursed to Respondent. Respondent
18 further stipulates and agrees that in the event the Commission rejects the Stipulation, and a full
19 evidentiary hearing before the Commission becomes necessary, neither any member of the Commission,
20 nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

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23 Dated: _____

Roman G. Porter, Executive Director
Fair Political Practices Commission

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26 Dated: _____

Jerry "Pat" Maguire, Respondent

1 **DECISION AND ORDER**

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3 The foregoing Stipulation of the party “Jerry ‘Pat’ Maguire,” FPPC No. 10/114, including all
4 attached exhibits, is hereby accepted as the final decision and order of the Fair Political Practices
5 Commission, effective upon execution below by the Chairman.

6
7 IT IS SO ORDERED.

8
9 Dated: _____

Chairman Dan Schnur
Fair Political Practices Commission